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Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Thematic cluster II: United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council that contains the proposed resource requirements for 2019 for the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) under thematic cluster II (A/73/352/Add.6, A/73/352/Add.6/Corr.1 and A/73/352/Add.6/Corr.2). During its consideration of the report, the Committee met representatives of the Secretary-General, who provided additional information and clarification, concluding with written responses received on 28 November 2018.

2. The main report of the Secretary-General (A/73/352) provides an overview of the proposed resource requirements for 2019 for special political missions and related cross-cutting issues. As in previous years, five addenda to the main report cover the specific requirements for thematic clusters I to III and the two largest missions, the United Nations Assistance Mission in Afghanistan (UNAMA) and the United Nations Assistance Mission for Iraq (UNAMI).[1] The Advisory Committee's comments and recommendations of a cross-cutting nature pertaining to all special political missions

[1] A/73/352/Add.1, A/73/352/Add.2, A/73/352/Add.2/Corr.1, A/73/352/Add.3, A/73/352/Add.4 and A/73/352/Add.5.

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are contained in its main report (A/73/498), and the budget proposals for thematic clusters I to III, UNAMA and UNAMI are covered in its related reports.[2]

II. Mandate

3. By paragraph 2 of its resolution 2379 (2017), the Security Council requested the Secretary-General to establish an investigative team, headed by a special adviser, to support domestic efforts to hold Islamic State in Iraq and the Levant (ISIL, or Da'esh) accountable by collecting, preserving and storing evidence in Iraq of acts that might amount to war crimes, crimes against humanity and genocide committed by the group in Iraq. In the same paragraph, the Council also requested UNITAD to conduct that work to the highest possible standards to ensure the broadest possible use of the collected evidence before national courts, and in a manner that complemented investigations being carried out by the Iraqi authorities, or by authorities in third countries at their request. In addition, by paragraph 3 of the resolution, the Council mandated the Special Adviser to promote accountability throughout the world for ISIL acts that might amount to atrocity crimes and to work with survivors, in a manner consistent with relevant national laws, to ensure that their interests in achieving accountability for ISIL were fully recognized. In paragraph 16 of the resolution, the Council decided to review the mandate of UNITAD after two years.

4. The Secretary-General indicates in his report that, in implementing its mandate, UNITAD is expected to: (a) conduct independent and impartial investigations, in adherence to international standards and best practices; (b) engage the services of both national and international experts; (c) operate extensively across Iraq, from its headquarters in Baghdad; (d) securely receive, analyse and store information from Iraqi and third-country sources; and (e) ensure that the evidence collected and any relevant material produced by UNITAD will be solely used in fair and independent criminal proceedings by competent domestic courts in Iraq and third-party Member States (A/73/352/Add.6, paras. 6–7).

5. With a view to ensuring a collaborative approach in the discharge of its mandate, pursuant to paragraph 12 of resolution 2397 (2017), UNITAD anticipates cooperating with a broad range of United Nations entities, in a manner consistent with its investigative functions. In particular, it will receive operational, logistical and security support from UNAMI (see paras. 15 and 19–20 below) and benefit from the existing expertise of relevant United Nations bodies inside and outside Iraq with respect to the political context, Iraqi criminal law and procedures, conflict-related sexual violence and other matters (A/73/352/Add.6, paras. 8–12).

6. The Secretary-General indicates in his report that he submitted to the Security Council terms of reference acceptable to the Government of Iraq regarding the operations of UNITAD pursuant to paragraph 4 of resolution 2379 (2017) and began planning and preparatory activities for the expeditious establishment of the Investigative Team, following their approval by the Council on 13 February 2018 (ibid., para. 4). Start-up activities in 2018 have included: an assessment mission co-led by the Department of Political Affairs and the Office of Legal Affairs to Iraq in April; the appointment of the Special Adviser in May; the formal commencement of the work of UNITAD in August; the development of a concept of operations and other frameworks; the identification of structures and resource requirements; ongoing recruitment; liaison with multiple stakeholders; and the deployment to Iraq of the Special Adviser with his initial core team in late October (ibid., paras. 13–17).

[2] A/73/498/Add.1, A/73/498/Add.2, A/73/498/Add.3, A/73/498/Add.4 and A/73/498/Add.5.

7. Planning assumptions and priorities for 2019 are described in paragraphs 18 to 22 of the report of the Secretary-General. According to the Secretary-General, key to the effective discharge of the UNITAD investigative operations in 2019 is the projected phased deployment of three field investigation units: the first in early 2019, the second in the middle of 2019 and the third in the last three months of the year, the security situation permitting (ibid., para. 20). Upon enquiry, the Advisory Committee was informed that other priorities revolved around building up core infrastructure and capacity, including: (a) completing the refurbishment of the buildings to be used as the premises of UNITAD in Baghdad, as well as installing physical and technological equipment to facilitate the storage and preservation of evidentiary material in line with international standards; (b) developing a detailed mandate implementation strategy and finalizing standard operating procedures; (c) collecting and analysing available evidence and open-source material with a view to identifying priority areas for more detailed information collection; and (d) undertaking awareness-raising and consultations with governmental authorities and civil society, including victims' groups.

III. Resource requirements for 2018 and 2019

8. The Secretary-General indicates in his report that the initial requirements for UNITAD for the period from 1 March to 31 December 2018, in the amount of $1,303,600 for 14 positions and other operational costs, are being funded under the authority granted to him under paragraph 1 (a) of General Assembly resolution 72/264 relating to unforeseen and extraordinary expenses for the biennium 2018–2019 (A/73/352/Add.6/Corr.2).

9. The proposed resource requirements for 2019 for UNITAD amount to $21,494,000, net of staff assessment. The proposed resources would provide for 135 civilian personnel ($12,156,900) and operational costs ($9,337,100). The Advisory Committee received a breakdown of the estimated expenditures for 2018 and the projected requirements for 2019 (see table 1).

Table 1
Detailed cost estimates

(Thousands of United States dollars)

		1 March–31 December 2018	*Requirements for 2019*	
	Category of expenditure	*Estimated expenditures*	*Total requirements*	*Non-recurrent requirements*
II.	**Civilian personnel**			
	1. International staff	359.0	9 446.0	-
	2. National staff	–	1 671.4	–
	3. United Nations Volunteers	–	260.1	–
	4. General temporary assistance	–	–	–
	5. Government-provided personnel	–	779.4	–
	Total, category II	**359.0**	**12 156.9**	**–**
III.	**Operational costs**			
	1. Experts	–	–	–
	2. Consultants and consulting services	75.0	201.0	–
	3. Official travel	302.8	665.4	–

Category of expenditure		1 March–31 December 2018 Estimated expenditures	Requirements for 2019 Total requirements	Requirements for 2019 Non-recurrent requirements
4.	Facilities and infrastructure	154.5	1 755.7	937.3
5.	Ground transportation	–	346.0	–
6.	Air operations	–	607.5	–
7.	Marine operations	–	–	–
8.	Communications and information technology	357.2	4 180.3	2 157.8
9.	Medical	–	158.1	–
10.	Special equipment	–	–	–
11.	Other supplies, services and equipment	55.1	1 423.1	709.1
12.	Quick impact projects	–	–	–
Total, category III		**944.7**	**9 337.1**	**3 804.2**
Total (net of staff assessment)		**1 303.6**[a]	**21 494.0**	**3 804.2**

[a] Amount funded under the authority granted to the Secretary-General under paragraph 1 (a) of General Assembly resolution 72/264.

10. The Secretary-General also indicates that he established a trust fund to support the implementation of the mandate of UNITAD, pursuant to paragraph 13 of Security Council resolution 2379 (2017), and that extrabudgetary resources in the amount of $1.4 million had been received at the time of reporting (A/73/352/Add.6, para. 27).[3] The Advisory Committee was informed, upon enquiry, that, while the proposed budget, to be funded from assessed contributions, would cover requirements to perform the core tasks of the UNITAD mandate, voluntary contributions would enable supplementary and specialized activities, such as forensic analysis of mass grave sites and the provision of psychosocial support to witnesses and victims. The Committee was also informed that, although a number of Member States had expressed interest in contributing funds, equipment and services, including expert personnel, pursuant to paragraph 14 of resolution 2379 (2017), no agreements had been concluded to date.

1. Civilian personnel

11. The Secretary-General proposes the establishment of 135 positions (1 Assistant Secretary-General, 2 D-1, 5 P-5, 15 P-4, 13 P-3, 42 Field Service, 21 National Professional Officer, 29 Local level and 7 United Nations Volunteer), comprising 73 positions for the substantive component (see para. 14 below), 49 for the security component and 13 for the mission support component (see table 2). In addition, the Advisory Committee was provided with information showing requirements for 30 government-provided personnel ($779,400) to strengthen UNITAD capacity in forensics intelligence analysis, cybersecurity, crime scene management and other areas.

[3] The Advisory Committee notes that in his first report to the Security Council, dated 15 November 2018, the Special Adviser indicates that UNITAD received a further pledge to the trust fund (S/2018/1031, para. 55).

Table 2
Positions

	Professional and higher categories									*General Service and related categories*			*National staff*			
	USG	*ASG*	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2*	*Subtotal*	*Field Security Services*	*General Service*	*Total, international*	*National Professional Officer*	*Local level*	*United Nations Volunteer*	*Total*
Approved 2018	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Proposed 2019	–	1	–	2	5	15	13	–	36	42	–	78	21	29	7	135
Change	**–**	**1**	**–**	**2**	**5**	**15**	**13**	**–**	**36**	**42**	**–**	**78**	**21**	**29**	**7**	**135**

Abbreviations: ASG, Assistant Secretary-General; USG, Under-Secretary-General.

12. It is proposed that all positions be located in Baghdad, with the exception of three Local level mission support positions to be integrated into the Kuwait Joint Support Office (see para. 15 below) and two backstopping positions for the substantive component required at Headquarters (A/73/352/Add.6, para. 25). The Committee was informed, upon enquiry, that the initial proposal reflected in the report to embed those two positions in the Department of Political and Peacebuilding Affairs and the Department of Operational Support had subsequently been revised to configure the positions as independent backstopping that would not be integrated into an existing team. **The Advisory Committee trusts that the Secretary-General will provide additional information regarding the proposed backstopping positions to the General Assembly at the time of its consideration of his report.**

General observations

13. The Advisory Committee was informed, upon enquiry, that the number, levels and functions of the proposed positions were the result of extensive planning, which included an analysis of the complexity of the mission's mandated tasks and the specific skills, knowledge and experience necessary to undertake them, as well as a review of the resources of other comparable special political missions and field operations.

14. Regarding the substantive staffing component, the Advisory Committee was provided with information showing that the proposed positions would be distributed across the following organizational units: Office of the Special Adviser (7 positions), Headquarters backstopping (2 positions), Office of Field Investigations (25 positions), Office of Analysis and Victim Support (17 positions), Office of National Engagement and Support (2 positions) and Office of the Chief of Staff (33 positions) (see annex). The Committee was informed, upon enquiry, that the proposed size of the Office of the Chief of Staff, which represents the largest organizational unit in UNITAD, was determined by its envisaged broad spectrum of responsibilities, which encompassed strategic planning, coordination and management across all operations, including field investigations, and liaison with UNAMI and other external partners. The Committee was also provided with information showing that 9 of the proposed 21 National Professional Officers would serve as Rule of Law Officers and perform comparable functions within various units: field investigations, activities pertaining to combating sexual and gender-based violence, evidence analysis and witness protection. The Committee was further informed that, given that the discharge of the mission's activities necessitated technical linguistic capacities, including in local dialects, seven translators and six interpreters would be required and all efforts would be made to recruit Arabic-speaking personnel with the adequate skill sets.

15. Regarding the mission support component, the Secretary-General indicates in his report that the 13 required positions would be embedded and integrated within the UNAMI mission support structure, in both Baghdad and the Kuwait Joint Support Office, with a view to optimizing the use of existing resources on the ground, promoting efficiencies and preventing potential overlap or duplication between parallel structures (A/73/352/Add.6, para. 11). The Committee provides further comments and recommendations in respect of the Kuwait Joint Support Office in its main report (A/73/498, paras. 50–56).

16. **The Advisory Committee considers that, at this initial stage of the deployment of the mission and given its limited actual experience, it is difficult to fully assess whether the proposed distribution of positions across the mission and staffing within each organizational unit reflect optimum levels for the efficient fulfilment of the mandate of UNITAD. The Committee therefore intends to reassess organizational structures, staffing levels and resource requirements in the context of the next budget submission, based on the actual experience of the mission on the ground, and recommends that the General Assembly request the Secretary-General to incorporate any relevant proposals into the next budget submission for UNITAD.**

Vacancies

17. The Advisory Committee was provided with information showing that, of the 14 positions proposed for 2018, 6 were encumbered as at 8 November 2018, and that the vacancy rates for 2019 were projected at 50 per cent for the Professional and higher categories, as well as for United Nations Volunteers, and at 35 per cent for the Field Service and national positions (both National Professional Officer and Local level). **Taking into consideration the current level of recruitment and the challenges surrounding the staffing-up of a new mission, compounded by the generally specialized nature of the UNITAD positions and its field location, the Committee considers it unlikely that the totality of the requested resources can be utilized fully. The Committee therefore recommends that the proposed budgeted vacancy rates be increased to 60 per cent for the Professional and higher categories, as well as United Nations Volunteers, and to 40 per cent for the Field Service and local positions.**

2. Operational costs

18. The proposed resource requirements for operational costs amount to $9,337,100, comprising costs for consultants ($201,000), official travel ($665,400), facilities and infrastructure ($1,755,700), ground transportation ($346,000), air transportation ($607,500), information and communications technology ($4,180,300), medical services ($158,100) and other supplies, services and equipment ($1,423,100) (A/73/352/Add.6, para. 26).

Cost-sharing arrangements with the United Nations Assistance Mission for Iraq

19. The Advisory Committee was informed, upon enquiry, that in 2018 UNAMI supported the establishment of UNITAD by facilitating multiple visits to Iraq, identifying suitable premises, transferring 14 armoured vehicles from its own excess stock and that of the Office of the Special Envoy of the Secretary-General for Syria and providing direct assistance with regard to initial administrative and budgetary activities.

20. For 2019, the Secretary-General indicates in his report that services required by UNITAD beyond those covered by the aforementioned 13 mission support positions embedded in UNAMI will be provided by UNAMI on a standard cost-recovery basis

and that UNITAD will enter into a cost-sharing arrangement for security services (ibid., para. 11). The Advisory Committee, upon enquiry, was informed that relevant memorandums of understanding between UNITAD and UNAMI were being prepared and that projected amounts to be paid to UNAMI had been reflected in the budget submission as follows: under security services, as shared costs for common security costs ($106,000); under air operations services, for charter flights using UNAMI air assets ($107,000); under other services, for cleaning, laundry, garbage, couriers, visa processing and transport convoys to the airport ($272,000); and under medical services, for aeromedical evacuations ($90,000). **The Advisory Committee reiterates its view that administrative support provided by one United Nations entity to another should be provided on a reimbursable basis (A/73/498/Add.5, para. 7) and trusts that the Secretary-General will provide information on the actual cost-sharing arrangements in the next budget submission.**

Consultants

21. The proposed resources for consultants in 2019 amount to $201,000. The Advisory Committee was informed, upon enquiry, that eight consultants would provide services in seven specialized areas, including exhumation operations, cybersecurity and the application of relevant international legal standards to the Iraqi criminal legal framework. With regard to the last-mentioned area, the Committee notes that the proposed in-house capacity of UNITAD will include multiple international and national legal experts and be supplemented by relevant expertise within other United Nations entities on which UNITAD intends to draw (see para. 5 above). **The Advisory Committee recalls the stipulation of the General Assembly that the use of consultants should be kept to an absolute minimum and that the Organization should make the greatest possible use of its in-house capacity to perform core activities. In view of the considerable technical expertise available to UNITAD given its proposed in-house capacity and anticipated cooperation with other entities, the Committee recommends a $10,000 reduction in the proposed requirements for consultants.**

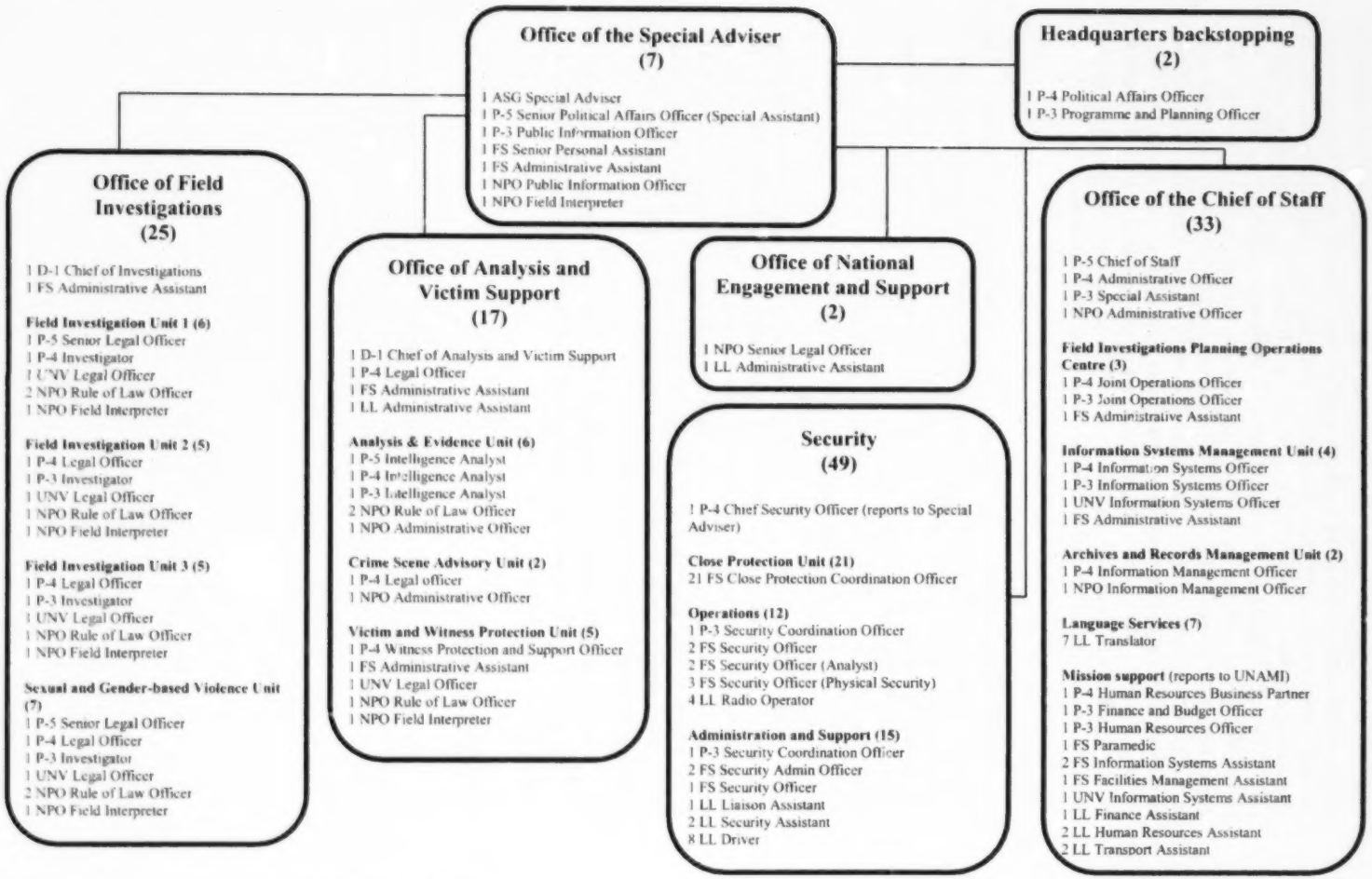
22. **The Advisory Committee intends to reassess the operational costs of UNITAD in the context of the next budget submission, based on the actual experience of the mission.**

IV. Recommendation

23. **The Advisory Committee recommends approval of the proposal of the Secretary-General for the resource requirements for 2019 for UNITAD, subject to the comments and recommendations in paragraphs 12, 16, 17, 20, 21 and 22 above, as well as those contained in its main report (A/73/498).**

Annex

Organization chart


Office of the Special Adviser
(7)
1 ASG Special Adviser
1 P-5 Senior Political Affairs Officer (Special Assistant)
1 P-3 Public Information Officer
1 FS Senior Personal Assistant
1 FS Administrative Assistant
1 NPO Public Information Officer
1 NPO Field Interpreter
Headquarters backstopping
(2)
1 P-4 Political Affairs Officer
1 P-3 Programme and Planning Officer
Office of Field Investigations
(25)
1 D-1 Chief of Investigations
1 FS Administrative Assistant
Field Investigation Unit 1 (6)
1 P-5 Senior Legal Officer
1 P-4 Investigator
1 UNV Legal Officer
2 NPO Rule of Law Officer
1 NPO Field Interpreter
Field Investigation Unit 2 (5)
1 P-4 Legal Officer
1 P-3 Investigator
1 UNV Legal Officer
1 NPO Rule of Law Officer
1 NPO Field Interpreter
Field Investigation Unit 3 (5)
1 P-4 Legal Officer
1 P-3 Investigator
1 UNV Legal Officer
1 NPO Rule of Law Officer
1 NPO Field Interpreter
Sexual and Gender-based Violence Unit (7)
1 P-5 Senior Legal Officer
1 P-4 Legal Officer
1 P-3 Investigator
1 UNV Legal Officer
2 NPO Rule of Law Officer
1 NPO Field Interpreter
Office of Analysis and Victim Support
(17)
1 D-1 Chief of Analysis and Victim Support
1 P-4 Legal Officer
1 FS Administrative Assistant
1 LL Administrative Assistant
Analysis & Evidence Unit (6)
1 P-5 Intelligence Analyst
1 P-4 Intelligence Analyst
1 P-3 Intelligence Analyst
2 NPO Rule of Law Officer
1 NPO Administrative Officer
Crime Scene Advisory Unit (2)
1 P-4 Legal officer
1 NPO Administrative Officer
Victim and Witness Protection Unit (5)
1 P-4 Witness Protection and Support Officer
1 FS Administrative Assistant
1 UNV Legal Officer
1 NPO Rule of Law Officer
1 NPO Field Interpreter
Office of National Engagement and Support
(2)
1 NPO Senior Legal Officer
1 LL Administrative Assistant
Security
(49)
1 P-4 Chief Security Officer (reports to Special Adviser)
Close Protection Unit (21)
21 FS Close Protection Coordination Officer
Operations (12)
1 P-3 Security Coordination Officer
2 FS Security Officer
2 FS Security Officer (Analyst)
3 FS Security Officer (Physical Security)
4 LL Radio Operator
Administration and Support (15)
1 P-3 Security Coordination Officer
2 FS Security Admin Officer
1 FS Security Officer
1 LL Liaison Assistant
2 LL Security Assistant
8 LL Driver
Office of the Chief of Staff
(33)
1 P-5 Chief of Staff
1 P-4 Administrative Officer
1 P-3 Special Assistant
1 NPO Administrative Officer
Field Investigations Planning Operations Centre (3)
1 P-4 Joint Operations Officer
1 P-3 Joint Operations Officer
1 FS Administrative Assistant
Information Systems Management Unit (4)
1 P-4 Information Systems Officer
1 P-3 Information Systems Officer
1 UNV Information Systems Officer
1 FS Administrative Assistant
Archives and Records Management Unit (2)
1 P-4 Information Management Officer
1 NPO Information Management Officer
Language Services (7)
7 LL Translator
Mission support (reports to UNAMI)
1 P-4 Human Resources Business Partner
1 P-3 Finance and Budget Officer
1 P-3 Human Resources Officer
1 FS Paramedic
2 FS Information Systems Assistant
1 FS Facilities Management Assistant
1 UNV Information Systems Assistant
1 LL Finance Assistant
2 LL Human Resources Assistant
2 LL Transport Assistant

Abbreviations: ASG, Assistant Secretary-General; FS, Field Service; LL, Local level; NPO, National Professional Officer; UNAMI, United Nations Assistance Mission for Iraq; UNV, United Nations Volunteer.